

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

2024-cv-09743

Lucio Celli,

Plaintiff,

v.

New York City et al,

Defendants.

FILED
U.S. DISTRICT COURT
2025 MAY 28 PM 5:01
S.D. OF N.Y.M.P.

ORDER TO SHOW CAUSE WHY CHIEF JUDGE LIVINGSTON, Judge Engelmayer AND MAGISTRATE JUDGE LEHRBURGER SHOULD NOT BE COMPELLED TO EXPLAIN THEIR PERMITTING OF UFT AND RANDI WEINGARTEN's criminal conduct within the courtrooms and for them to go unaddressed and concealed—Wage, Pension, emotional harm and preplanning HIV drug resistance with their answers, evidence and witnesses all being called to support the need for Judge Livingston's and Judge Engelmayer's need for impeachment and publicly expose MISCONDUCT IN COURT PROCEEDINGS

TO: Judge Colleen McMahon and Judicial Conference

PRELIMINARY STATEMENT

Plaintiff Lucio Celli brings this Order to Show Cause because, despite clear evidence and repeated complaints, the United Federation of Teachers (UFT) and its president, Randi Weingarten, have repeatedly engaged in perjurious statements, suppression of evidence, and ex parte communications that taint and obstruct these proceedings. Plaintiff has identified audio recordings proving that UFT representatives lied about having negotiated critical CBA provisions, and Judge Engelmayer's express order (Dkt. 22) granting admission of those recordings and witness testimony. Yet both the R&R (Dkt. 45) and subsequent orders omit any mention of this evidence—raising the question whether Chief Judge Livingston and Magistrate Judge Lehrburger have knowingly permitted or directed such misconduct to continue.

ORDER TO SHOW CAUSE

Upon reviewing the record and the record of Plaintiff's repeated communications regarding UFT and Ms. Weingarten's misconduct, it is hereby ORDERED that:

1. Chief Judge Colleen Livingston and Magistrate Judge Robert W. Lehrburger shall each, by no later than seven (7) days from the date of this Order, file a written response explaining:
 - a. Why the R&R (Dkt. 45) and any subsequent orders do not reference Plaintiff's audio recordings showing UFT perjury and ex parte communications.
 - b. Why Judge Engelmayer's order (Dkt. 22) authorizing these recordings and witness testimony was ignored.
 - c. Whether any informal or formal instruction was given—by any court officer or political actor—to suppress or distort this evidence.
 - d. What steps, if any, they have taken to sanction or address the UFT's and Ms. Weingarten's admitted misconduct.
2. Pending receipt of those responses, all further proceedings in this case before Magistrate Judge Lehrburger are STAYED.
3. The Clerk of Court is directed to serve a copy of this Order on Chief Judge Livingston, Magistrate Judge Lehrburger, and on counsel for Randi Weingarten and the UFT.

LEGAL STANDARD

Federal Rule of Civil Procedure 72(b)(3) and 28 U.S.C. § 636(b)(1)(B) require that a magistrate judge's recommendations be "accompanied by a statement of the reasons." Likewise, courts have authority to issue orders to show cause whenever a party alleges judicial or litigant misconduct that undermines the integrity of the proceedings. See *In re Aumais*, 656 F.3d 147, 158–59 (2d Cir. 2011).

CONCLUSION

The integrity of federal court proceedings depends on the faithful application of procedural rules and the exclusion of ex parte influence, perjury, or evidence suppression. Plaintiff therefore respectfully requests that this Order to Show Cause issue, compelling Chief Judge Livingston and Magistrate Judge Lehrburger to answer for their apparent toleration of the UFT's and Ms. Weingarten's ongoing misconduct.

SO ORDERED.

Dated: May 28, 2025
New York, New York

Respectfully submitted,



Certificate of Service

I hereby certify that on [Date], a copy of the foregoing Motion to [Specify Relief Sought] was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

[Attorney's Name]